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10 Attorneys for Plaintiff  
11 Taras Volgemut

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA  
14 WESTERN DIVISION  
15

16 Taras Volgemut, an individual,

17 Plaintiff,

18 v.

19 Dieter P. Abt, an individual,

20 Defendant.  
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Case No. 2:12-cv-06678-JCG

~~PROPOSED~~ DEFAULT JUDGMENT  
BY CLERK

DEFAULT JUDGMENT BY CLERK

1 Pursuant to Federal Rules of Civil Procedure 55(a) the Clerk of the above-  
 2 entitled Court entered a default in this matter against defendant Dieter P. Abt on the  
 3 ground that said defendant has failed to appear or otherwise respond to the complaint  
 4 within the time prescribed by the Federal Rules of Civil Procedure. Plaintiff Taras  
 5 Volgemut has requested a default judgment by Clerk against defendant Dieter P. Abt  
 6 pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure.

7 After full consideration of all matters submitted in connection with the request  
 8 for default judgment by clerk, the following Default Judgment by Clerk is so entered:

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 10 1. Defendant to pay Plaintiff damages of \$1,000,000.00 loaned to Defendant  
 11 pursuant to Loan Agreement;

12 2. Defendant to pay Plaintiff prejudgment interest authorized by Loan  
 13 Agreement at 9 percent per annum calculated as follows:

14 a. Nine percent interest on the first installment on the loan (\$200,000)  
 15 loaned on December 5, 2011, seven days before the remaining money was  
 16 loaned, amounts to \$345.21 (calculated as follows: 9% of \$200,000 equals  
 17 \$18,000 divided by 365 days equals \$49.32 of interest per day multiplied by 7  
 18 days equals **\$345.21**), added to

19  
 20 b. Nine percent interest on the full \$1,000,000.00 from December 12,  
 21 2011 through today's date (October 29, 2012) amounts to \$79,398.76  
 22 (calculated as follows: 9% of \$1,000,000 equals \$90,000 divided by 365 days  
 23 equals \$246.58 per day multiplied by 322 days equals **\$79,398.76**);

24 c. Thus, as of October 29, 2012, \$79,398.76 plus the \$345.21, totaling  
 25 **\$79,743.97** is owed in interest to Plaintiff.  
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1 3. Defendant to reimburse Plaintiff his attorneys fees pursuant to Central  
2 District Local Rule 55-3 in the amount of \$23,600 (\$5600 plus 2% of amount in  
3 excess of \$100,000 (i.e. \$900,000.));

4 4. Defendant to reimburse Plaintiff his costs pursuant to Central District Local  
5 Rule 54-3 of \$503.86 (bill of costs is contained in declaration of Julie J. Roback).  
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9 DATED: 11/7/12

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12 Clerk for the United States District Court Judge  
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